

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

MICHELLE-LAEL B. NORSWORTHY,

Plaintiff,

v.

OFFICER FELIX, et al.,

Defendants.

Case No.: 1:23-cv-01151-KES-SKO

**ORDER REFERRING CASE TO POST-
SCREENING ADR AND STAYING CASE
FOR 120 DAYS**

FORTY-FIVE (45) DAY DEADLINE

Plaintiff Michelle-Lael B. Norsworthy is presented by counsel in this civil rights action. The matter proceeds on Plaintiff's Fourteenth Amendment Equal Protection Clause violations against Defendants Felix, Haynes, Villanueva, and Does 1 through 50, and Eighth Amendment failure to protect claims against Defendants Cowing, Villanueva, and Does 1 through 50. (See Doc. 23.)

Defendants Cowing, Haynes, Felix, and Villanueva filed an answer to Plaintiff's complaint on November 12, 2024. (Doc. 27.)

The Court refers all civil rights cases filed by pro se inmates to Alternative Dispute Resolution ("ADR") to attempt to resolve such cases more expeditiously and less expensively. Although Plaintiff is represented by counsel in this action, the Court elects to stay this matter briefly to learn whether the parties would find early ADR productive.

1 The Court stays this action for 120 days to allow the parties to investigate Plaintiff's
2 claims, meet and confer, and participate in an early settlement conference. The Court presumes
3 that all post-screening civil rights cases assigned to the undersigned will proceed to a settlement
4 conference. If after investigating Plaintiff's claims and meeting and conferring, either party finds
5 that a settlement conference would be a waste of resources, the party may opt out of the early
6 settlement conference.

7 Accordingly, it is hereby **ORDERED**:

- 8 1. This action is STAYED for **120 days** to allow the parties an opportunity to settle their
9 dispute before the discovery process begins. No pleadings or motions may be filed in
10 this case during the stay. The parties shall not engage in formal discovery, but they
11 may engage in informal discovery to prepare for the settlement conference.
- 12 2. **Within 45 days** from the date of this Order, the parties SHALL file the attached
13 notice, indicating their agreement to proceed to an early settlement conference or their
14 belief that settlement is not achievable at this time.
- 15 3. **Within 60 days** from the date of this Order, defense counsel SHALL contact the
16 undersigned's Courtroom Deputy Clerk at wkusamura@caed.uscourts.gov to schedule
17 the settlement conference, assuming the parties agree to participate in an early
18 settlement conference.
- 19 4. If the parties reach a settlement during the stay of this action, they SHALL file a
20 Notice of Settlement as required by Local Rule 160.
- 21 5. The Clerk of the Court SHALL serve a copy of this Order to ADR Coordinator Sujean
22 Park.
- 23 6. The parties must keep the Court informed of their current addresses during the stay
24 and the pendency of this action. Changes of address must be reported promptly in a
25 Notice of Change of Address. *See* L.R. 182(f).

26 IT IS SO ORDERED.

27 Dated: **November 13, 2024**

/s/ Sheila K. Oberto

UNITED STATES MAGISTRATE JUDGE

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NOTICE REGARDING EARLY
SETTLEMENT CONFERENCE

1. Counsel and/or the party agrees that an early settlement conference would be productive and wishes to engage in an early settlement conference.

Yes ____ No ____

2. Counsel and/or the party (check one):

____ would like to participate in the settlement conference in person.

____ would like to participate in the settlement conference by video conference.

Dated:

Counsel for Plaintiff or Defendants